

**SCPD POLICY AND LAW COMMITTEE MEETING MINUTES  
MAY 12, 2016 – 1 PM  
SMYRNA REST AREA - SMYRNA, DE**

**Members Present:** Brian Hartman, DLP; Daniese McMullin-Powell, SCPD, Co-Chair; Marge Turner, DSAAPD, Co-Chair; Kathie Cherry, GACEC; Steve Perales, DSCYF/DPBHS; Jamie Wolfe, SCPD Vice-Chair; Nick Fina, SCPD; Deb Bradl, DVI; Pat Maichle, DDC; Bill Payne, GACAAPD; Moni- Edgar, UCP; Linda Heller, HLA; Kyle Hodges, SCPD Director.

**CALL TO ORDER**

Marge Turner called the meeting to order 1:07 PM.

**ADDITIONS OR DELETIONS TO THE AGENDA**

Jamie added DelDOT Working Groups if time allows.

**APPROVAL OF MINUTES**

Steve noted that he did not abstain regarding #11 from the April minutes, but did abstain on #12 which was not included. Motion was made, seconded and approved to accept the minutes as amended from the April 2016 meeting as submitted.

**REVIEW OF REGULATIONS AND LEGISLATION**

1. DFS Final Child Protection Registry Check Reg. [19 DE Reg. 1025 (5/1/16)] – Brian made a motion for SCPD to send a “thank you” communication. Pat seconded the motion and it was unanimously approved.
2. DFS Final Criminal History Check of Child Care Person Reg. [19 DE Reg. 1023 (5/1/16)] – Brian made a motion for SCPD to send a “thank you” communication. Pat seconded the motion and it was unanimously approved.
3. DOE Final District/School Emergency Prep Policy Reg. [19 DE Reg. 1014 (5/1/16)] – Kyle will follow-up with DSHS.
4. DOE Final Parent Councils Regulation [19 DE Reg. 1015 (5/1/16)] – It was agreed no further action is needed.
5. DOE Final Charter School Staff Training Reg. [19 DE Reg. 1017 (5/1/16)] - It was agreed no further action is needed.
6. DOE Final Meeting Minutes & Prior Notice Reg. [19 DE Reg. 1018 (5/1/16)] – GACEC will follow-up on the request to obtain the AGs comments. Brian made a motion that SCPD be authorized to consult with DDC and GACEC, and in their discretion, request an AGs opinion on this regulation. Pat seconded the motion and it was approved. Linda Heller abstained.

7. DOE Revised Prop. IEP Regulation [19 DE Reg. 969 (5/1/16)] – Motion was made, seconded and approved for SCPD to send a letter to DOE consistent with Brian’s memo.
8. DOE Prop. School Nurse Regulation [19 DE Reg. 979 (5/1/16)] - Motion was made, seconded and approved for SCPD to send a letter to DOE consistent with Brian’s memo.
9. DOE Prop. “Emotional Disability” Regulation [19 DE Reg. 967 (5/1/16)] - Motion was made, seconded and approved for SCPD to send a letter to DOE consistent with Brian’s memo.
10. DMMA Prop. Spousal Impoverishment Undue Hardship Reg. [19 DE Reg. 987 (5/1/16)] - Motion was made, seconded and approved for SCPD to send a letter to DMMA consistent with Brian’s memo.
11. DMMA Proposed ABLE Account Regulation [19 DE Reg. 982 (5/1/16)] - Motion was made, seconded and approved for SCPD to send a letter to DMMA consistent with Brian’s memo. The letter will also be copied to AARP
12. H.B. No. 302 (Texting & Hand-held Cell Phone Use While Driving Penalties) - Motion was made, seconded and approved for SCPD to send a letter endorsing the proposed legislation consistent with Brian’s memo.
13. H.B. No 319 (Substance Exposed Infants) – There was much discussion and it was agreed to add the following language as a supplemental observation to Brian’s memo: The bill may have an unintended consequence of deterring some mothers from seeking any kind of medical treatment or assistance, and/or giving birth to their baby in a hospital, if they know a report is going to be made. Motion was made, seconded and approved for SCPD to send a letter sharing the observations consistent with Brian’s memo and the aforementioned observation. Steve Perales abstained.
14. H.B. No. 311 (Mental Health Transition Plan) - Motion was made, seconded and approved for SCPD to send a letter sharing the observations consistent with Brian’s memo. Steve Perales abstained.
15. H.B. No. 310 (Family Court Jurisdiction: Outpatient Treatment) - Motion was made, seconded and approved for SCPD to send a letter sharing the observations consistent with Brian’s memo. Steve Perales abstained.
16. H.B. No. 317 (Employment Discrimination: Family Responsibilities) - Motion was made, seconded and approved for SCPD to send a letter sharing the observations consistent with Brian’s memo. The letter will note that “SCPD endorses the concept of the bill, but has the following observations.”

17. S.B. No. 230 (Supported Decision-making) – It was agreed that SCPD will note all the supporting agencies from the 2015-2016 Legislative & Policy Agenda. Motion was made, seconded and approved for SCPD to send a letter endorsing the legislation consistent with Brian’s memo while also listing the supporting agencies.

## **OTHER BUSINESS**

Public Service Commission – Kyle provided a letter from DLP to the Public Service Commission (PSC) regarding good faith efforts to make payments. Brian attended one of the public workshops and provided background. Motion was made, seconded and approved that if DLP writes a follow-up letter, the SCPD Director in consultation with the Chair, may endorse the DLP letter. Bill Payne abstained.

Accessible Parking – Kyle provided an update on this bill. It was originally introduced as HB 200 and contained many additional provisions which went beyond the ADA (e.g. wider spaces, extra space for wheelchair/scooter, sign for the access aisle, signage for fines). There has been opposition to these provisions. Therefore, SCPD is hoping to propose an amendment which would remove these provisions. The draft substitute bill has been submitted to our working group on this. Kyle noted that, in speaking with a legislative attorney, the bill may still require a 2/3rds majority vote even if the increase in fines is removed.

Linda reported that the bill regarding hearing loops should be introduced soon.

Kathie Cherry reported on GACECs initiative of creating a higher education scholarship program. They are asking JFC for funding. Motion was made, seconded and approved for SCPD to endorse this initiative.

## **ADJOURNMENT**

The meeting was adjourned at 3:40 PM.

Respectfully submitted,

Kyle Hodges  
SCPD Director